



## **Northeast Ohio Areawide Coordinating Agency**

### **NOACA**

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## **Request for Proposals (RFP) for Qualified Environmental Professional to Oversee Site Remediation for a Brownfields Revolving Loan Fund**

**Issue Date: Wednesday, December 21<sup>st</sup>, 2022**

**Closing Date: Sunday, January 22, 2023**

NOACA seeks a qualified firm to contract for technical consulting services to oversee brownfield site remediation in accordance with federal and Ohio regulations. The deadline for submittals is **Sunday, January 22, 2023, 5:00 PM.**

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## 1. NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA)

The Northeast Ohio Areawide Coordinating Agency (NOACA) is a Cleveland-based transportation and environmental planning organization that serves as the metropolitan planning organization (MPO) and designated areawide water quality management agency for the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina in Ohio.

In these capacities it:

- Works with other organizations to help address northeast Ohio's transportation, air quality, and water quality needs
- Conducts metropolitan planning for various modes of transportation, including vehicles, freight, transit, bicycle, pedestrian, etc., while considering the transportation system's impact on the environment and land use
- Prepares the region's long-range transportation plan and short-range transportation improvement program, which is the region's capital budget for federally funded transportation projects
- Conducts studies that address congestion, improve safety and strengthen community livability

The vision of NOACA is as follows: NOACA will **STRENGTHEN** regional cohesion, **PRESERVE** existing infrastructure, and **BUILD** a sustainable multimodal transportation system to **SUPPORT** economic development and **ENHANCE** quality of life in Northeast Ohio.

NOACA is directed by a 48-member Board of Directors. Members represent the City of Cleveland and all five NOACA counties and their communities, plus transit agencies, the Northeast Ohio Regional Sewer District (NEORS), the Cleveland-Cuyahoga County Port Authority, the Ohio Environmental Protection Agency (Ohio EPA), the Ohio Department of Transportation (ODOT), and the Ohio Turnpike Infrastructure Commission.

The NOACA region is home to 2.1 million people and over 150 units of government. The region is anchored by several urban core cities with the largest being Cleveland.

More information about NOACA is available on the agency's website ([www.noaca.org](http://www.noaca.org)).

## 2. INTRODUCTION AND BACKGROUND

In December 2021, NOACA and Vibrant NEO, a 501c3 non-profit corporation, formed the NOACA-Vibrant NEO Brownfields Coalition to apply for a United States Environmental Protection Agency (U.S. EPA) Brownfields Revolving Loan Fund (RLF). In May 2022, EPA notified NOACA that the Coalition will receive an award of \$1,000,000.

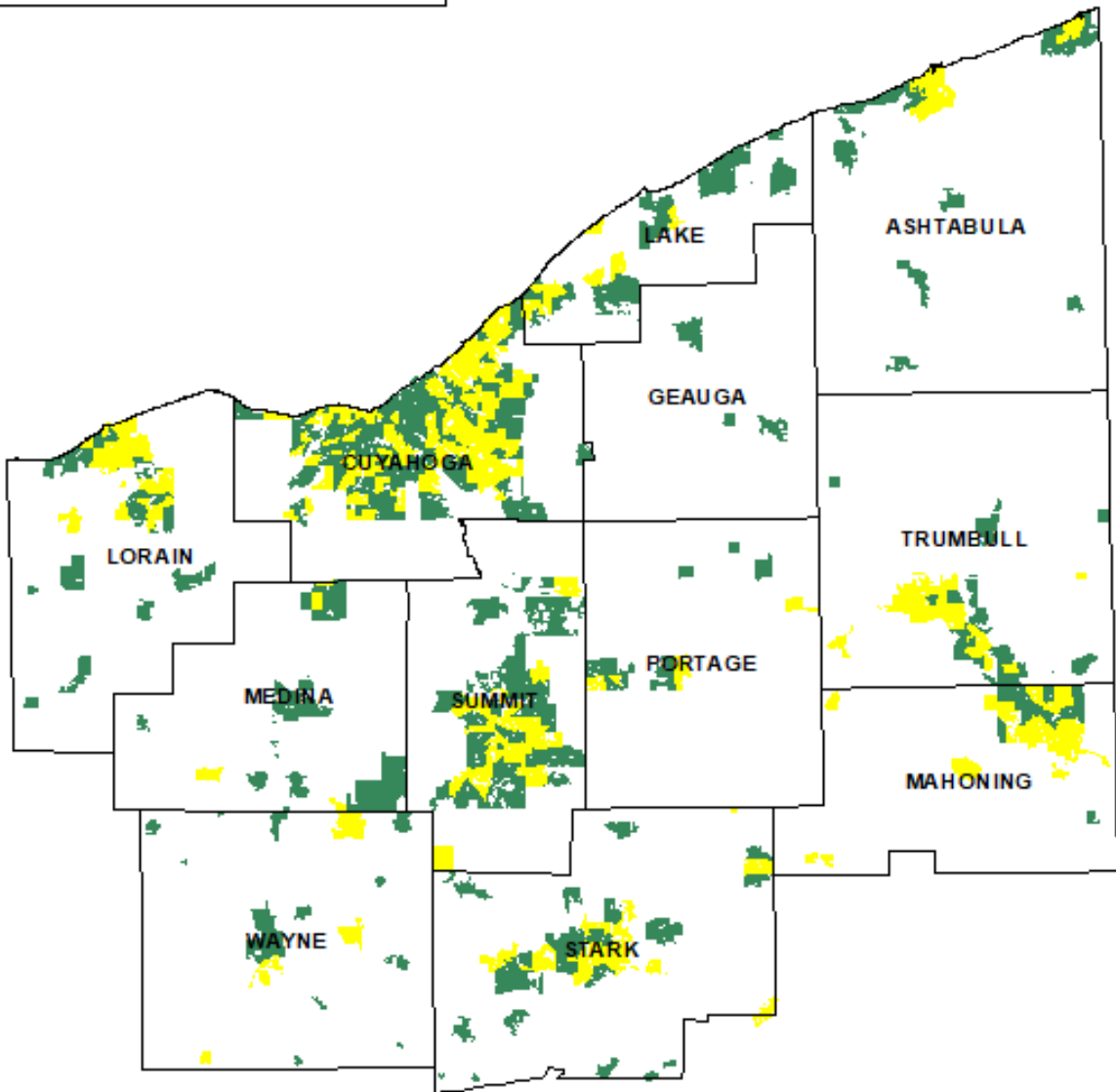
The RLF will apply across the 12 counties of the Vibrant NEO region to support brownfield site remediation. Brownfields are properties that are known to have contaminants from previous uses, such as a gas station or industrial facility, and this contamination discourages the property from reuse. The RLF will provide loans or grants to eligible entities from the private or public sector in order to remediate this contamination.

The Coalition seeks RLF implementation assistance, specifically for oversight of remediation efforts to ensure work is done according to all relevant U.S. EPA and Ohio EPA regulations. **This assistance is expected to not exceed \$82,500.** There is no set end date for the contract or pre-determined number of projects; rather, the contract will last until this total is reached. For this reason, proposals should be clear on the hourly rate for various tasks performed so that the evaluation team can make an informed decision. The contract amount may be increased/extended if the RLF is recapitalized and the Coalition is able to award more loans or subgrants for remediation.

The study area will encompass the Vibrant NEO service area, which contains the counties of Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Mahoning, Medina, Portage, Stark, Summit, Trumbull, and Wayne. Specifically within these counties, the Coalition expects most site-specific engagement to be within Strategic Investment Areas or Asset Risk Areas, which are priority places for Vibrant NEO based on their abundance of existing infrastructure to support redevelopment. These are also the communities most likely to have brownfields. The map below shows the geography of the region and the distribution of these place types.

### Vibrant NEO Place Types

- Strategic Investment Area
- Asset Risk Area



0 4.75 9.5 19 28.5 38 Miles

### **3. PROJECT DETAILS AND SCOPE OF WORK**

NOACA seeks proposals from qualified environmental professionals (QEPs) with brownfield experience to oversee site remediation for the Brownfields RLF. The following sections describe the specific activities QEPs should conduct:

#### **A. Project Goals**

The overall goal of this proposal is to ensure remediation of brownfield sites to a standard necessary for redevelopment.

#### **B. Project Objectives**

Specific objectives to meet the goal include:

- Prepare all documentation related to site remediation required by U.S. and Ohio EPA
- Oversee remediation activities
- Provide site contamination and remediation information to residents to allow for feedback related to cleanup alternatives

#### **C. Meetings**

The nature of this work requires periodic meetings, either in-person, virtually, or over the phone. The consultant shall attend community meetings to describe site conditions and proposed remediation activities to the community. Additionally, the consultant may be asked to present to the Brownfields Steering Committee, NOACA Board of Directors, or Vibrant NEO Board of Directors. These meetings each take place quarterly, although it is not expected that the consultant would be required to attend or have new information to present that frequently.

#### **D. Tasks and Deliverables**

NOACA requests that the consultant develop a table of tasks and deliverables using the example table provided in Exhibit A, which will serve to demonstrate that the consultant understands the steps necessary to successfully conduct brownfield remediation in accordance with all applicable rules and regulations at the federal and state levels. Tasks will include some or all of the following items listed below; they are listed in the order in which they should occur, although some may be concurrent. The applicant may have engaged a Qualified Environmental Professional, in which case it is the responsibility of the consultant engaged by NOACA to ensure this work meets all relevant standards.

- Establish Administrative Record
- Assist NOACA staff with Section 106 NHPA review for historic registration
- Conduct historic buildings survey, if necessary
- Prepare Analysis of Brownfields Cleanup Alternatives (ABCA)
  - Introduction and background

- Applicable regulations and cleanup standards
- Evaluation of cleanup alternatives
- Recommended cleanup alternative
- Assist NOACA staff with Community Relations Plan (CRP). In particular, staff may need assistance with:
  - Site description, such as history and background of uses
  - Contamination and nature of threat to public and environmental health
  - Proposed remediation
- Assist NOACA staff and marketing consultant with site meetings
- Prepare Quality Assurance Project Plan (QAPP), if necessary
- Assist NOACA staff with drafting a Decision Document
  - Respond to any public comments raised during the previous tasks
- Oversee cleanup activities and report to NOACA (this should be done weekly and include progress pictures)
- Conduct confirmatory sampling, if needed
- Assist in formally documenting and submitting relevant information to Ohio EPA, BUSTR, or other relevant agency and obtaining No Further Action (NFA) or Covenant Not to Sue (CNS), if necessary
- Assist NOACA with site entrance in U.S. EPA ACRES database, if necessary

#### **4. QUALIFICATIONS**

The selected vendor (or any of the selected vendor's subcontractors) cannot currently, or at the time of contracting, be listed on any federal, state, or local government jurisdiction debarment or suspension lists.

NOACA staff will consider any combination of skills and experience that can successfully and effectively address the scope of services. Proposals should explain the consultants' experience with brownfield site remediation, including the Ohio Voluntary Action Program, compiling an Analysis of Brownfields Cleanup Alternatives, and other relevant activities. The proposal should show licensing and technical qualifications of the consultant team and subcontractors, if the latter will be engaged.

#### **5. PROCUREMENT TIMELINE**

NOACA's process and *estimated* timeline for the selection of a consultant are as follows:

##### **January 22, 2023, 5:00p.m. - Deadline for RFP Submittals**

Submittals must be received by NOACA by the above deadline. Proposals shall be submitted in PDF via email to [procurement@mpo.noaca.org](mailto:procurement@mpo.noaca.org). NOACA assumes no responsibility for formatting or transmission errors. Submittals received after the deadline will not be considered. Please reference "Brownfields RLF Qualified Environmental Professional" in the email subject line.

##### **January 23, 2023 – February 2, 2023 - Consideration of Proposals**

An evaluation team will select candidate vendor(s) from submittals received. This process will

include review and scoring of proposals, and review of references and other information as necessary. Candidate vendors may be interviewed by the team and asked to enter into negotiations as part of the selection process. At the end of this process, NOACA will select the proposal it considers the most highly qualified, price and all other factors considered.

**February 10, 2023 – NOACA Committee Review Process**

**March 10, 2023 – Approval of Contract by NOACA Board of Directors**

## **6. REQUIREMENTS FOR PROPOSALS**

### **A. General Instructions**

NOACA will not reimburse proposers for any costs incurred prior to award and execution of a contract, including, but not limited to, the preparation and submittal of proposals or participation in the evaluation and negotiation process.

Proposals should be comprised of two (2) volumes, submitted in PDF format. No price or price-related information shall appear in Volume I, the Technical Proposal.

Proposals shall clearly address the evaluation criteria and information requested herein. Overly elaborate proposals and proposals that contain only generalized marketing information are discouraged and may result in a lower evaluation score.

Firms included on the current Excluded Parties List System maintained by the United States General Services Administration, or on comparable lists of suspended or debarred firms maintained by the State of Ohio or jurisdictions within NOACA's service area are not eligible for selection.

### **B. Requirements for Technical Proposal (Volume I)**

No pricing or price-related information shall be included in the Technical Proposal.

The Technical Proposal shall include the following components:

1. Provide a cover letter that identifies the prime consultant and all subcontractors, if applicable. The cover letter shall identify the officer or other responsible executive of the firm authorized to negotiate and agree to a contract by name, title, address, telephone, email and facsimile. This individual shall serve as NOACA's point of contact for all communications regarding this solicitation. The letter should also contain a commitment that the proposed pricing will be valid for not less than 120 days.
2. Provide general information about the firm, including location of office(s), number of years in business and areas of service expertise. Identify key management staff and a brief description of their qualifications and experience. Summarize the firm's number of full-time staff by discipline.
3. Describe the proposer's approach to the project, including a detailed scope of services that reflects understanding of the brownfield remediation process. The scope of work shall encompass all necessary remediation oversight and provide suggestions that will enhance the outcomes of the project. This section should detail the tasks needed to accomplish all goals and objectives of the project. The project approach should highlight innovation and creativity, as appropriate. Provide a table, attached to the submission as Appendix A, that summarizes and breaks down the project's deliverables and percentage of work (see *Exhibit A* below).
4. Identify key staff to be assigned to this project and the deliverables for which each individual will be responsible. Attach resumes that describe the education, experience and professional certifications (e.g. Professional Engineer, American Institute of Certified Planners) for each key staff person. Highlight experience and education relevant to the

project. NOACA reserves the right to approve or reject any staff members assigned by primary vendor to this project.

5. Describe the capacity of your team and their ability to perform the work in a timely manner, relative to the firm's present workload and the availability of the assigned staff. Include an organizational chart that illustrates the proposed project management structure, and its position within the overall organization.
6. Provide a listing of prior work on other projects that involved brownfield remediation. Examples should describe the scope of work, and demonstrate successful performance in project completion. The list of prior projects should include assignments undertaken in the past five (5) years, and also identify the duration of the project and the client. Provide contact information (name, title, mailing address, email, and telephone) for each client on prior work examples. NOACA may contact references as well as other resources to verify a firm's qualifications, experience, professionalism, and ability to perform the work. If any such projects were not satisfactorily completed, provide an explanation of the circumstances.
7. There is no Disadvantaged Business Enterprise (DBE) Goal for this contract, but DBE certified firms are encouraged to apply, and others are encouraged to subcontract a portion of work to certified DBE firms. If a prime contractor will award or attempt to award a subcontract to a certified firm, the prime contractor should follow the "Good Faith Efforts" described in the Federal Code of Regulations at [40 CFR Part 33](#).
8. List all subcontractors and identify those certified as Disadvantaged Business Enterprises (DBE) in the State of Ohio or by the U.S. EPA or another relevant agency with authority to make such certification, and the type and percentage of work each subcontractor will perform. Include description(s) of subcontractor(s) qualifications, identify key personnel, and provide contact person with respective email and telephone number for any subcontractor(s). NOACA reserves the right to approve or reject any subcontractors proposed by vendor for this project. NOACA expects the prime consultant to perform a minimum of thirty percent (30%) of the work with its own personnel.

### **C. Requirements for Business Proposal - Volume II**

The Business Proposal shall include the following components:

1. A copy of the cover letter included in Volume I
2. A pricing proposal. Price quotes shall not exceed the budget of \$82,500. In the pricing proposal, hourly rates should reflect only the direct cost of labor, and not overhead, burden, or profit. NOACA will reimburse direct costs such as travel expenses, fixed-price payments to subcontractors or vendors at cost. NOACA will reimburse approved travel and living expenses only for travel more than 50 miles from the traveler's ordinary work location, at the rates specified in the General Services Administration's most current per diem rates for the locality involved.
3. Copies of the proposer's workers' compensation, general liability, professional liability and automobile insurance certificates.

4. If the consultant or subcontractor is DBE-certified, a copy or copies of the consultant or sub-consultant's certificate(s), as applicable.
5. Completed form "Certification Regarding Debarment, Suspension & Other Responsibility Matters" attached to this RFP.

The proposer may identify any proposed exceptions to NOACA's Terms and Conditions as contained in this RFP, or propose any additional terms it considers appropriate. Such proposed exceptions or additional terms must be specific, and include a clear explanation of the reasons for the exception or addition. Please note that certain terms contained herein are required by law or regulation and cannot be modified.

## **7. EVALUATION CRITERIA AND PROCEDURES**

### **A. Evaluation Criteria**

#### **1. Experience/Qualifications (up to 40 points)**

NOACA will evaluate each consultant in regards to their experience and qualifications appropriate to the proposed project. NOACA will base scores on each firm's experience on similar projects. NOACA will consider the following factors:

- i. Experience and educational certification of project personnel (including appropriate credentials such as professional certifications or licensure)
- ii. Relevant experience on brownfield remediation projects similar to the current project, or projects that include applicable elements
- iii. Knowledge of applicable U.S. EPA and Ohio EPA rules and regulations
- iv. Experience with NOACA or Vibrant NEO

#### **2. Project Approach (up to 20 points)**

NOACA will evaluate each consultant based on the approach presented in the Technical Proposal to complete the project. NOACA will consider the following factors:

- i. Demonstration of understanding the goals and objectives of the proposed project
- ii. Provision of a projected table of deliverables included in the Technical Proposal, including project components that will achieve the goals of the project
- iii. Methods and strategies to best accomplish all deliverables of the project
- iv. Creativity and innovation

#### **3. Project Management (up to 40 points)**

NOACA will evaluate each consultant based on presentation of a management plan that ensures services are successfully completed. NOACA will consider the following factors:

- i. Demonstration of effective past project management, resulting in the delivery of a high-quality work product
- ii. Project personnel/firm size capable of managing the project, or capacity to manage a personnel team supported by sub-consultants
- iii. Ability to assemble and lead a team and to collaborate with property owners, residents who live near brownfield sites, and other stakeholders
- iv. Description of how performance evaluation will be completed throughout the project to ensure project goals and objectives are being achieved

- v. Description of status reporting methodology, including details of both written and oral progress reporting
- vi. Project approach that demonstrates how tasks or parts are coordinated, staffed, and completed
- vii. Identification of potential risks, and steps that can be taken to prevent or mitigate those issues

#### **5. Project Budget and Cost**

Price quotes shall not exceed the budget of \$82,500 and shall include hourly rates. NOACA does not award points for this category, but may consider hourly cost when it evaluates proposals, as that amount may determine how many site clean-ups NOACA and the applicant might oversee through this contract.

### **B. Evaluation Procedures**

NOACA intends to award a contract to the vendor whose proposal, including negotiated modifications, is considered to provide the best combination of technical quality and cost. Any proposals timely received by NOACA will receive evaluation by a team comprised of NOACA staff and stakeholder(s). The evaluation team will first evaluate the proposals according to the technical criteria stated above. NOACA may ask vendors for clarification of their proposals, including conduct of interviews or requests of proposers to give oral/visual presentations. Such interviews may be conducted in person, by telephone or through video conference. If NOACA holds such interviews, the evaluation team will re-evaluate the proposals, at which time they may eliminate some vendors from further consideration.

NOACA will then evaluate the remaining firms' pricing proposals. NOACA may eliminate additional firms at this point if pricing is considered inconsistent with their technical proposals. An excessively low price may be considered as unreasonable as an excessively high price.

NOACA may also negotiate with proposers who remain in the competitive range. Following such negotiations, NOACA may request that the remaining firms submit a Best and Final Offer, which the team will evaluate. The evaluation team may then select a firm for award recommendation. Award recommendation is subject to final approval by the NOACA Board of Directors.

NOACA reserves the right to accept proposals other than the lowest cost offered, reject any and all proposals, or to negotiate separately with any proposer or proposers as deemed to be in NOACA's best interest. NOACA also reserves the right to waive minor informalities, irregularities or errors which do not affect the substance of the proposal, or may award on the basis of initial proposals received without discussions or negotiations with proposers. The original proposal, therefore, should represent the vendor's best effort to meet NOACA's needs at a reasonable price.

## **8. ADMINISTRATIVE PROCEDURES AND CONDITIONS**

- A. It is the policy of NOACA that Disadvantaged Business Enterprises (DBEs) shall have equal opportunity to compete for this federally assisted contract, or equal opportunity to subcontract with a prime contractor to perform the requested services.

This proposal does not include a specific DBE goal. However, consultants that are DBE-certified, others that subcontract with a DBE-certified business, or others that demonstrate a good faith effort to subcontract such firms, are encouraged. This documentation must be included with the proposer's submittal. Actions which may be considered as good faith efforts are described in [Subpart C of 40 CFR Part 33](#). If a DBE-certified firm is the prime or sub-consultant, the price proposal should demonstrate the level of DBE participation as a percentage of the total contract.

- B. Consultants agree not to discriminate against any employee or applicant for employment because of race, color, religion, age, creed, sex, sexual orientation or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Consultants further agree to comply with all requirements of Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq., 49 C.F.R. Part 21.
- C. The proposal, including price, shall be valid for at least 120 days from the date of submission.
- D. An RFP does not constitute an offer or a contract. No contract may be awarded without a resolution by the NOACA Board of Directors.
- E. NOACA reserves the right to amend, cancel or reissue the RFP or to revise the timeline at any time.

NOACA reserves the right to reject any and all proposals and to waive minor irregularities in the proposal process. NOACA may accept any proposal if such action is believed to be in the best interest of the agency.

- F. NOACA is not liable for any cost incurred by the proposer prior to execution of a contract.
- G. The contract between the successful proposer and NOACA shall include all documents mutually entered into including the contract instrument, relevant portions of the RFP and the response to the RFP. The contract must include and be consistent with the provisions stated in the RFP, as may be modified by negotiations.
- H. The prime consultant or system provider will assume the responsibility for all services offered in the proposal regardless of whether directly performed by the prime consultant.

Further, the prime consultant will be the sole point of contact for NOACA with regard to contractual matters.

- I. The consultant project team shall be approved by NOACA. NOACA must approve any changes in the project team.
- J. Any award of contract will be to the consultant that provides the highest value relative to costs.

## **9. QUESTIONS**

For questions regarding the RFP, please contact [procurement@mpo.noaca.org](mailto:procurement@mpo.noaca.org). Submitting questions as early in the process as possible provides NOACA the opportunity to respond; questions received near the deadline may not be addressed prior to the deadline. All answers will be publicly posted on [NOACA's website under About-Contact Us-Doing Business with NOACA](#).

## EXHIBIT A - Example Table of Deliverables

Task/ Deliverable	Description	% Work
<b>Total</b>		<b>100%</b>

Add rows to the table as needed. Use the space below to elaborate on items in the table.

**Task 1:** \_\_\_\_\_

Task 1 Deliverables:

**Task 2:** \_\_\_\_\_

Task 2 Deliverables:

**Task 3:** \_\_\_\_\_

Task 3 Deliverables:

(add additional as needed)

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## CERTIFICATION REGARDING DEBARMENT, SUSPENSION & OTHER RESPONSIBILITY MATTERS

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This Certification is required to be submitted to NOACA on behalf of the principal bidder/proposer and all subcontractors whose subcontracts are reasonably anticipated to exceed \$25,000 in value.

- A. The undersigned Bidder/Proposer/Subcontractor ("Attester") certifies to the best of its knowledge and belief that the Attester and/or any of its principals or subcontractors:
1. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
  2. Have not, within a three-year period preceding this bid/proposal, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or Local) transaction or contract or subcontract; violation of Federal or State antitrust statutes, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property; and
  3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in Paragraph 2 above; and
  4. Have not, within a three-year period preceding this bid/proposal, had one or more public transactions (Federal, State or local) terminated for cause or default by any federal, state or local agency.

"Principals" for the purposes of this certification, means officers, directors, owners, partners, and persons having primary management or supervisory responsibilities within a business entity (e.g., general manager, plant manager, head of a subsidiary, division, or business segment, and similar positions).

This certification concerns a matter which may be within the jurisdiction of an agency of the United States and the making of a false, fictitious, or fraudulent certification may render the maker subject to prosecution under Section 1001, Title 18, United States Code.

- B. The Attester shall provide immediate written notice to NOACA's Procurement Officer if, at any time the Attester learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- C. A certification that any of the items in Paragraph A exists will not necessarily result in withholding of an award under this solicitation. However, the certification will be considered in connection with a determination of the Attester's responsibility. Failure of the Attester to furnish a certification or provide such additional information as requested by NOACA may render the Attester non-responsible, and the Attester shall not be considered for award.
- D. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by Paragraph A. The
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knowledge and information of an Attester is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

- E. The certification in Paragraph A is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Attester rendered an erroneous certification, in addition to other remedies available to NOACA, NOACA may terminate the contract resulting from this solicitation for default.

If the Attester is unable to certify to any of the statements in this certification, it shall attach an explanation to this certification.

THE UNDERSIGNED CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. SECTIONS 3801 ET. SEQ. ARE APPLICABLE THERETO.

Executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Name of Bidder/Proposer: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Signature of Authorized Official: \_\_\_\_\_

Printed Name of Official \_\_\_\_\_ Title of Official \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_ E-Mail \_\_\_\_\_

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